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VIA ELECTRONIC FILING

The Honorable Peggy Kuo, Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York

Re: *Bell v. CVS Pharmacy, Inc.*
Case No.: 1:21-cv-06850-MKB-PK
Letter Motion to Adjourn Initial Conference scheduled on March 14, 2022

Dear Judge Kuo:

This law firm was recently retained to represent Defendant CVS Pharmacy, Inc. ("CVS") in the above-captioned lawsuit.

On behalf of CVS, we write in advance of the Initial Conference, presently scheduled for March 14, 2022, at 10:00 a.m. before Your Honor. (Doc. 5). Because of our recent retention, counsel has not yet had the chance to meet and confer regarding the joint Proposed Discovery Plan (presently due to be filed on March 9, 2022, per Doc. 5) and Rule 26(f) requirements. That meeting with opposing counsel is now scheduled for March 14, 2022. We are working diligently to prepare for the meeting with opposing counsel and will be exchanging a draft Proposed Discovery Plan in advance of the Rule 26(f) meeting to ensure collaboration and timeliness.

However, in order for recently retained counsel to enter appearances, become fully immersed in the case, and to ensure that all counsel is in agreement regarding the Proposed Discovery Plan and status of the case, including any potential settlement discussions, we ask that the Initial Conference be postponed until April 8, 2022, with the Proposed Discovery Plan filing deadline postponed until March 30, 2022.

This is the first request for an adjournment and postponement. This request for postponement is made in good faith and with no intention of delay, but rather to ensure all counsel are concurring and prepared to come before the Court. All parties consent to the requested adjournment and postponement of the Initial Conference, and this request is being made at least two (2) business days before the scheduled conference, per Doc. 5.

We thank the Court for its time and attention to this matter.

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Very truly yours,

BENESCH, FRIEDLANDER,
COPLAN & ARONOFF LLP

/s/ Elliot M. Smith

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